



Port Augusta
CITY COUNCIL



Port Pirie
Regional Council



UNEARTH
WHYALLA

AGENDA

UPPER SPENCER GULF REGIONAL ASSESSMENT PANEL

Civic Conference Room, Whyalla City Council,

21 Grundel St, Whyalla Norrie,

Tuesday 30 April 2024,

commencing at 5.30pm.



AGENDA

UPPER SPENCER GULF REGIONAL ASSESSMENT PANEL

Notice is hereby given that a meeting of the Upper Spencer Gulf Regional Assessment Panel will be held on Tuesday 30 April 2024, Civic Conference Room, Whyalla City Council Building, 21 Grundel Street, Whyalla Norrie, commencing at 5.30pm.

Jodie Perone
ASSESSMENT MANAGER
23 April 2024

1. **Welcome – Stewart Payne, Presiding Member**

2. **Present**

3. **Apologies**

Leave of Absence - R Donaldson

4. **Confirmation of Minutes**

That the minutes of meeting held on 21 February 2024 be received and adopted.

5. **Business Arising from the Previous Minutes**

6. **Conflict of Interest Declarations**

7. Officer Reports

7.1 Development Application 23033239

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Storage shed, 21 Edith Street, Stirling North.

7.1.1 Representor does not wish to be heard.

9. Other business

9.1 Appeal

Development Application 660/117/2020

10. Close

DEVELOPMENT NO.:	23033239
APPLICANT:	Port Augusta Steel Centre Pty Ltd
ADDRESS:	21 EDITH ST STIRLING NORTH SA 5710
NATURE OF DEVELOPMENT:	Storage Shed
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Affordable Housing • Hazards (Flooding - Evidence Required) • Native Vegetation <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 8m) • Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 12m; group dwelling is 15m) • Minimum Site Area (Minimum site area for a detached dwelling is 600 sqm; semi-detached dwelling is 450 sqm; group dwelling is 500 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	17 Nov 2023
RELEVANT AUTHORITY:	Upper Spencer Gulf Regional Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) - Version 2023.16 - 09/11/2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Henri Mueller Manager, Growth and Regulatory Services – City of Port Augusta
REFERRALS STATUTORY:	N/A
REFERRALS NON-STATUTORY:	

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APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 5:	Representations
ATTACHMENT 1:	Application Documents	ATTACHMENT 6:	Response to Representations
ATTACHMENT 2:	Subject Land Map	ATTACHMENT 7:	Prescribed Body Responses
ATTACHMENT 3:	Zoning Map	ATTACHMENT 8:	Internal Referral Advice
ATTACHMENT 4:	Representation Map	ATTACHMENT 9:	Applicants Responses

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for a large shed to be used as a store for a vintage car collection by the owner of the land and comprises the following details:

- The shed measures 21m x 7.5m, has a wall height of 3.3m, will be 4.2metres to the apex of the roof, and have a floor area of 157.5 sqm;
- The shed would be located toward the rear of the property with a setback of 2m from both side boundaries and 5 metres from the rear boundary;
- The shed is to be Colorbond (Paperbark) and have seven roller doors for vehicle access on the eastern elevation of the shed;
- Two large rainwater tanks will be located at the rear of the shed;
- Pencil pines are to be planted around the sides and rear of the shed;
- Access to the shed is to be from Edith Street via a driveway along the southern side boundary of the property.

BACKGROUND:

The proposal was initially for a shed measuring 24m x 7.5m, totalling 180 sq m, to be situated at the rear of the property. As we had difficulty supporting such a large shed in a Neighbourhood Zone the applicant was encouraged to reduce its size. After a couple of iterations, the applicant reduced its size to the current 157sqm which was still larger in scale than those generally located in a Neighbourhood zone, although there are a couple of sheds of scale in this locality on similarly sized parcels as the subject site.

Upon further investigation, it was discovered that the property owner does not reside at the location and is currently renting the property to a tenant, and he was intending to use the shed to store a significant collection of classic/vintage motor vehicles.

Due to the applicant's non-residency at the property, it was felt that the proposal could not be regarded as an outbuilding but rather as a store/storage shed and therefore could not be considered as exempt from public notification. The classification of the shed was adjusted from an outbuilding to a store, as the structure is not considered ancillary to a residence in the absence of the applicant's residency.

Given the classification of the proposed structure as a store, the application underwent a public notification period from February 1st to February 21st, 2024. Throughout this period, only one representation was received. The representative chose not to speak at the Regional Assessment Panel meeting but did pose several questions to the applicant, who subsequently provided responses to address the issues raised.

The owner has confirmed his intention to reside at the property pending the sale of his hotel in the Flinders Ranges..

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 21 Edith St Stirling North SA 5710

Title ref.: CT 5981/504 **Plan Parcel:** D72955 AL1 **Council:** Port Augusta City Council

The subject land is a relatively level allotment and contains an existing single storey dwelling, carport, an outbuilding, and rainwater tanks. It is a relatively large and elongated property of approximately 2040sqm in size. It is well landscaped towards the front of the property and the dwelling is relatively modern.

Locality

The locality is an established residential neighbourhood comprising allotments facing Edith Street and North Terrace to the north.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**

Shed: Code Assessed - Performance Assessed

Change of use: Code Assessed - Performance Assessed

Store: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- **REASON**

The proposed shed is to be used as a store for classic cars in conjunction with the dwelling. A store is not listed as Deemed to Satisfy in Table 2 for the Zone. The proposal is also not listed in Table 4 Restricted Development in the Zone. As such the proposal defaults to Code Assessed – **Performance Assessed**.

PUBLIC NOTIFICATION

- **REASON**

A store in a residential area is not listed as exempt from public notification in Table 5 Procedural Matters - Notification for the Neighbourhood Zone. The proposal was not considered to fit any of the classes of development listed under Column A of the table as it could not be regarded as being of a minor nature and may unreasonably impact on the owners or occupiers of land in the locality.

- **LIST OF REPRESENTATIONS**

The representor and the reasons for their representation are summarised in the table below along with the response from the applicant.

The representor does not wish to be heard by the Panel.

Representor	Reasons for representation	Applicants Response
Karen Davison 5 Huxtable St PA	Insufficient information Wants to know if it is for business purposes. Will it involve chemical storage or dangerous equipment/machinery. Need hours of operation. Concerns about potential for increased truck traffic, potential noise impacts, safety issues, hours of operation, and	Proposal will not be used for business purposes. The proposal will be used to store classic vehicles and will not involve dangerous equipment or machinery. Hours will be limited to between 9am and 5pm weekdays.

	endangering children as is close to bus stop. Will hours be limited?	It will be on a residential property and do not anticipate any danger to children.
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AGENCY REFERRALS

N/A

INTERNAL REFERRALS

Janine Hugo Council’s development Engineer viewed the proposal from a stormwater management perspective and requested a number of conditions be attached to the consent. Subject to installation of rainwater tanks for reuse to irrigate the garden and landscaping there should be no issues arising from stormwater overflow.

PLANNING ASSESSMENT

This section focuses on the performance of the proposal in relation to the relevant provisions of the Planning & Design Code (see Appendix 1 below) commencing from the relevant Overlays, the Neighbourhood Zone, and selected General development Policies.

Hazards (Flooding - Evidence Required) Overlay

Councils current flood maps do not show any flooding from a 100 year event affecting the subject land. As a precaution against potential for sheet runoff flowing into the building it is recommended that the finished floor level be a minimum of 150mm above the natural ground level of the site. In view of the above the proposal would accord with Performance Outcome (PO) 1.1 of the Overlay.

Native Vegetation Overlay

The Applicant has signed a declaration that no clearing of native vegetation will occur. Aerial imagery confirms that the site is clear of native vegetation. As such the proposal is in accord with the overlay requirements.

Neighbourhood Zone

Land Use and Intensity

Although a *store* is not listed in Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) 1.1 the proposal is considered a reasonable adjunct to residing on the subject land, and to use the shed to store the resident’s car collection to undertake his hobby.

The proposal would be undertaken in conjunction with the residence on the subject land as confirmed by the owner and the height and bulk of the shed would be mitigated by the fact that it is to be Colorbond and its appearance will in time be broken up by the planting of pencil pines. Other large sheds also exist on properties in the vicinity of the subject land. As a large property the site coverage ratio of total buildings on the subject land would be in the vicinity of 25%.

Furthermore, seeing vintage and classic cars driving around the area from time to time would provide interesting viewing for local residents. It is therefore likely that the proposal would complement the character and amenity of the neighbourhood and would be in accord with PO 1.4 for the Zone.

Site Coverage

As mentioned above the site coverage ratio would only be in the vicinity of 25% and would be well below the 60% limit stipulated in DTS/DPF 3.1 for the zone.

Building Height

The proposed overall building height of 4.2m is consistent with the prevailing character of the locality and will compliment the heights of nearby buildings in accordance with Performance Outcome (PO) 4.1.

Side Boundary Setback

The proposed side boundary setbacks of 2m are consistent with the requirements for allotments greater than 800sqm as stipulated by DTS/DPF 8.1(a).

Rear Boundary setback

The rear boundary setback of 5m exceeds the 4m setback stipulated in DTS/DPF 9.1 (b) (i) for sites exceeding 301sqm.

Ancillary Buildings and Structures

The proposal significantly exceeds the threshold of 80sqm floor area stipulated in DTS/DPF 10.1 (b) (ii) has a wall height not exceeding 3m in accordance with (h) and retains a total area of soft landscaping on the subject land greater than 25% when combining the proposed landscaping with existing landscaping on the property. As the area for the shed site was not landscaped previously it is likely the area of landscaping will be increased in accord with (k) (ii).

As the subject land is very large in comparison with other allotments in the locality the proposal is also consistent with PO 10.2.

GENERAL DEVELOPMENT POLICIES

Design in Urban Areas

External Appearance

Although no plant has been proposed above the roof line it would be desirable to include a condition of consent to reinforce the need to comply with PO 1.4 as follows:

That the development does not incorporate any structures that protrude above the roofline.

Landscaping

The proposed planting of pencil pine to the rear of the property and on the sides of the shed will assist in the achievement of minimising heat absorption and reflection, maximising shade and stormwater infiltration, and enhance the appearance of the building in accordance PO 4.1 (a) (b) (c) (d).

Water Sensitive Design

The proposal accords with PO 5.1 as it would not interfere with any water course. Roof runoff will be directed to rainwater tanks and used for irrigation of landscape planting.

Ancillary Development

For reasons discussed under the Neighbourhood Zone in this report, which takes precedent over General Policies in areas of inconsistencies in the Codes Policy Hierarchy, the proposal is unlikely to detract from the streetscape or the appearance of primary residential buildings on the site or neighbouring properties and thereby is in accord with PO 19.1.

Due to the size of the allotment, there would be minimal impedance to onsite functionality or result in overdevelopment of the site and would be in compliance with PO 19.2.

CONCLUSION

The proposal is for a store/storage shed for a vintage car collection in conjunction with residing in the existing dwelling. Concerns raised by a third party have been satisfied in the applicant's response and have been reinforced by the recommended conditions. In my opinion the proposal performs relatively well in my assessment of the proposal against the relevant Planning and Design Code policy. Notwithstanding the proposal does not meet the size requirements for an outbuilding it is not an outbuilding and satisfies all relevant Performance Outcomes. In view of the above the proposal is recommended for Planning Approval by the Panel.

RECOMMENDATION BY HENRI MUELLER

It is recommended that the Upper Spencer Gulf Regional Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is not seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23033239, by Port Augusta Steel Centre Pty Ltd is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Condition 1

The proposed development shall be undertaken in accordance with the plans and information submitted unless otherwise specified as a condition of consent.

Condition 2

All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property.

Condition 3

The proposed structure is not to be used or converted for human occupation.

Condition 4

The proposed structure is permitted solely for the storage of classic cars and must not be used for commercial or business purposes.

Condition 5

The shed must be maintained in good condition at all times to Council satisfaction.

Condition 6

No major vehicle repairs are to be undertaken in the shed and all works on vehicles must comply with EPA guidelines for residential areas.

Condition 7

Any oil spills must be cleaned up immediately and disposed of to a licensed facility.

Condition 8

The floors must be concreted with finished floor levels 150mm above natural ground level.

Condition 9

That the development does not incorporate any structures that protrude above the roofline.

Condition 10

That the planting of landscaping be undertaken within the first planting season of the completion of the shed and be maintained in good condition thereafter.

Condition 11

That roof runoff be directed to the rainwater tanks with overflow directed to the garden away from the shed and adjoining properties to Council satisfaction.

Condition 12

The shed approved herein must be used in conjunction with residing in the main dwelling on the property.

ADVISORY NOTES

Advisory Note 1

Development Approval must be obtained prior to undertaking any works associated with the development.

Advisory Note 2

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant

is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Advisory Note 3

Unless substantially commenced this consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Advisory Note 5

Engineering requirements:

- All new driveways and inverts across verge require Section 221 approval Stormwater:
- Stormwater overflow onto council property Post Development not greater than Pre-
- Maximum allowable stormwater discharge to kerb is 12L/s at any single kerb outlet.
- Maximum of 2 kerb outlets allowable on frontage with a minimum separation of 10m between them
- Any stormwater detention/retention devices designed to capture building post development overflows must be located within the developed land and this is a private asset and its maintenance is the responsibility of the landowner. NO Stormwater overflow onto adjoining properties
- All new stormwater pipes between boundary and kerb, and stormwater kerb outlets require Section 221 approval

Section 221 form:

https://www.portaugusta.sa.gov.au/__data/assets/pdf_file/0019/223561/Port-Augusta-City-Council-Section-221-Form-Application-to-Undertake-Works-on-Council-Land.pdf

Driveway Guide: Concrete Driveway & Paving Fact Sheet

https://www.portaugusta.sa.gov.au/__data/assets/pdf_file/0027/223983/AR21-13812-Port-Augusta-City-Council-Section-221-Driveway-Fact-Sheet.pdf

Stormwater Guide: Stormwater Fact Sheet

https://www.portaugusta.sa.gov.au/__data/assets/pdf_file/0015/224025/AR21-13962-Port-Augusta-City-Council-Section-221-Stormwater-Fact-Sheet.pdf

OFFICER MAKING RECOMMENDATION

Name: Henri Mueller

Title: Manager Growth and Regulatory Services

Date: 26 April 2024

APPENDIX 1: Relevant P&D Code policies

Part 3 - Overlays

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
PO 1.1 Development avoids, or where it cannot be practically avoided,	DTS/DPF 1.1 An application is accompanied by:

Policy24	P&D Code (in effect) - Version 2023.16 - 09/11/2023
minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.	(a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur: <ul style="list-style-type: none"> (i) in connection with a relevant access point and / or driveway (ii) within 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control (iv) within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area or (b) a report prepared in accordance with Regulation 18(2)(a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.
PO 1.2 Native vegetation clearance in association with development avoids the following: <ul style="list-style-type: none"> (a) significant wildlife habitat and movement corridors (b) rare, vulnerable or endangered plants species (c) native vegetation that is significant because it is located in an area which has been extensively cleared (d) native vegetation that is growing in, or in association with, a wetland environment. 	DTS/DPF 1.2 None are applicable.
PO 1.4 Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.	DTS/DPF 1.4 None are applicable.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that is the subject of a report prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that categorises the clearance, or potential clearance, as 'Level 3 clearance' or 'Level 4 clearance'.	Native Vegetation Council	To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.	Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Hazards (Flooding – Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for <u>animal keeping</u> incorporate a finished floor level at least 300mm above: (a) the highest point of top of kerb of the <u>primary street</u> or (b) the highest point of natural ground level at the <u>primary street</u> boundary where there is no kerb

Environmental Protection	
PO 2.1 Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building.	DTS/DPF 2.1 Development does not involve the storage of hazardous materials.

Procedural Matters (PM) – Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Part 2 – Zones and Sub Zones

Neighbourhood Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Housing supports a range of needs and complements the existing local context. Services and community facilities contribute to making a convenient place to live without compromising the residential amenity and character of the neighbourhood.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Site coverage	
PO 3.1 Building footprints are generally consistent with the prevailing pattern of development and retain sufficient space around buildings to limit visual impact and enable attractive outlook and access to light and ventilation.	DTS/DPF 3.1 The development does not result in <u>site coverage</u> exceeding 60% of the <u>site area</u> .

Building Height					
PO 4.1 <u>Building height</u> is consistent with the maximum height expressed in any relevant <i>Building Height Technical and Numeric Variation</i> , or are generally consistent with the prevailing character of the locality and complement the height of nearby buildings.	<p>DTS/DPF 4.1</p> <p><u>Building height</u> (excluding garages, carports and outbuildings) is no greater than:</p> <p>(a) the following:</p> <table border="1" style="margin-left: 20px;"> <tr> <td>Maximum Building Height (Metres)</td> </tr> <tr> <td>Maximum <u>building height</u> is 8m</td> </tr> <tr> <td>Maximum Building Height (Levels)</td> </tr> <tr> <td>Maximum <u>building height</u> is 2 levels</td> </tr> </table> <p>(b) in all other cases (i.e. there are blank fields for both maximum <u>building height</u> (metres) and maximum <u>building height</u> (levels)) – 2 building levels up to a height of 9m.</p> <p>In relation to DTS/DPF 4.1, in instances where:</p> <p>(a) more than one value is returned in the same field, refer to the <i>Maximum Building Height (Levels) Technical and Numeric Variation</i> layer or <i>Maximum Building Height (Meters) Technical and Numeric Variation</i> layer in the SA planning database to determine the applicable value relevant to the <u>site</u> of the proposed development.</p> <p>(b) only one value is returned for DTS/DPF 4.1(a) (i.e. there is one blank field), then the relevant height in metres or building levels applies with no criteria for the other.</p>	Maximum Building Height (Metres)	Maximum <u>building height</u> is 8m	Maximum Building Height (Levels)	Maximum <u>building height</u> is 2 levels
Maximum Building Height (Metres)					
Maximum <u>building height</u> is 8m					
Maximum Building Height (Levels)					
Maximum <u>building height</u> is 2 levels					

Side Boundary Setback

<p>PO 8.1</p> <p>Buildings are set back from side boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between buildings in a way that complements the character of the locality (b) access to natural light and ventilation for neighbours. 	<p>DTS/DPF 8.1</p> <p>Building walls are set back from the side boundary in accordance with the following:</p> <ul style="list-style-type: none"> (a) On sites greater than 800m²: <ul style="list-style-type: none"> (i) at least 1900mm (ii) for a wall that is <u>south facing</u> and the <u>wall height</u> exceeds 3m measured from the lower of natural or finished ground level – at least 1.9m from the boundary of the <u>site</u> plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the lower of natural or finished ground level. (b) On sites 800m² or less: <ul style="list-style-type: none"> (i) where the <u>wall height</u> does not exceed 3m measured from the lower of natural or finished ground level – at least 900mm (ii) for a wall that is not <u>south facing</u> and the <u>wall height</u> exceeds 3m measured from the lower of natural or finished ground level – at least 900mm from the boundary of the <u>site</u> plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the lower of natural or finished ground level (iii) for a wall that is <u>south facing</u> and the <u>wall height</u> exceeds 3m measured from the lower of natural or finished ground level – at least 1.9m from the boundary of the <u>site</u> plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the lower of natural or finished ground level.
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Rear Boundary Setback

<p>PO 9.1</p> <p>Buildings are set back from rear boundaries to provide:</p> <ul style="list-style-type: none"> (a) separation between buildings in a way that complements the character of the locality (b) access to natural light and ventilation for neighbours (c) <u>private open space</u> (d) space for landscaping and vegetation. 	<p>DTS/DPF 9.1</p> <p>Building walls (excluding ancillary buildings and structures) are set back from the rear boundary at least:</p> <ul style="list-style-type: none"> (a) if the size of the <u>site</u> is less than 301m²— <ul style="list-style-type: none"> (i) 3m in relation to the ground floor of the building (ii) 5m in relation to any second <u>building level</u> of the building (iii) 5m plus an additional 1m setback added for every 1m height increase above a <u>wall height</u> of 7m. (b) if the size of the <u>site</u> is 301m² or more— <ul style="list-style-type: none"> (i) 4m in relation to the ground floor of the building (ii) 6m in relation to any second <u>building level</u> of the building (iii) 6m plus an additional 1m setback added for every 1m height increase above a <u>wall height</u> of 7m.
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Part 4 - General Development Policies

Policy24

P&D Code (in effect) - Version 2023.16 - 09/11/2023

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.</p>	<p>DTS/DPF 1.1</p> <p>One of the following is satisfied:</p> <ul style="list-style-type: none"> (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

Design

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	<p>Development is:</p> <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All development	
Earthworks and sloping land	
<p>PO 8.1</p> <p>Development, including any associated driveways and access tracks,</p>	<p>DTS/DPF 8.1</p> <p>Development does not involve any of the following:</p>

<p>minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>(a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.</p>
<p>PO 8.2 Driveways and access tracks are designed and constructed to allow safe and convenient access on sloping land (with a gradient exceeding 1 in 8).</p>	<p>DTS/DPF 8.2 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8) satisfy (a) and (b): (a) do not have a gradient exceeding 25% (1-in-4) at any point along the driveway (b) are constructed with an all-weather trafficable surface.</p>
<p>PO 8.3 Driveways and access tracks on sloping land (with a gradient exceeding 1 in 8): (a) do not contribute to the instability of embankments and cuttings (b) provide level transition areas for the safe movement of people and goods to and from the development (c) are designed to integrate with the natural topography of the land.</p>	<p>DTS/DPF 8.3 None are applicable.</p>
<p>PO 8.4 Development on sloping land (with a gradient exceeding 1 in 8) avoids the alteration of natural drainage lines and includes on-site drainage systems to minimise erosion.</p>	<p>DTS/DPF 8.4 None are applicable.</p>
<p>All Residential development</p>	
<p>Car parking, access and manoeuvrability</p>	

All Residential development	
Car parking, access and manoeuvrability	
<p>PO 19.1</p> <p>Enclosed parking spaces are of a size and dimensions to be functional, accessible and convenient.</p>	<p>DTS/DPF 19.1</p> <p>Residential car parking spaces enclosed by fencing, walls or other structures have the following internal dimensions (separate from any waste storage area):</p> <p>(a) single width car parking spaces:</p> <p>(i) a minimum length of 5.4m per space</p> <p>(ii) a minimum width of 3.0m</p> <p>(iii) a minimum garage door width of 2.4m</p> <p>(b) double width car parking spaces (side by side):</p> <p>(i) a minimum length of 5.4m</p> <p>(ii) a minimum width of 5.4m</p> <p>(iii) minimum garage door width of 2.4m per space.</p>
<p>PO 19.3</p> <p>Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, pedestrian movement, domestic waste collection, landscaped street frontages and on-street parking.</p>	<p>DTS/DPF 19.3</p> <p>Driveways and access points on sites with a frontage to a public road of 10m or less have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site.</p>
<p>PO 19.4</p> <p>Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.</p>	<p>DTS/DPF 19.4</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <p>(a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land</p> <p>(b) where newly proposed:</p> <p>(i) is set back 6m or more from the tangent point of an intersection of 2 or more roads</p> <p>(ii) is set back outside of the marked lines or infrastructure dedicating a pedestrian crossing</p> <p>(iii) does not involve the removal, relocation or damage to of mature street trees, street furniture or utility infrastructure services.</p>

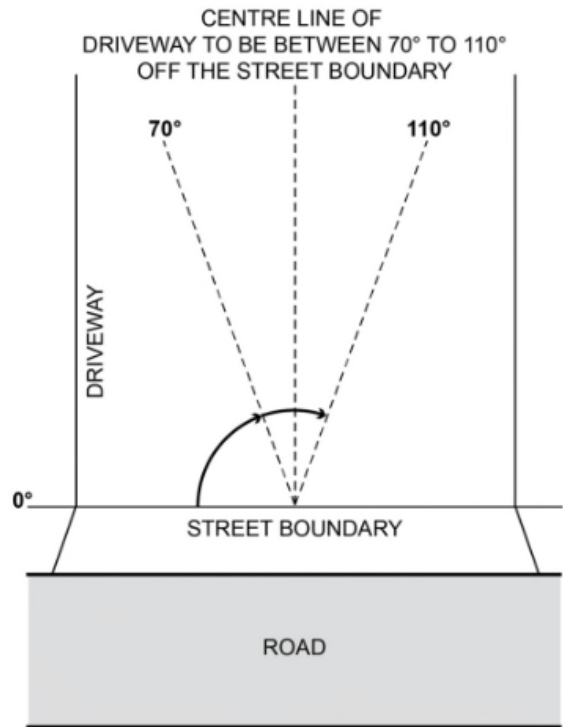
PO 19.5

Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.

DTS/DPF 19.5

Driveways are designed and sited so that:

- (a) the gradient of the driveway does not exceed a grade of 1 in 4 and includes transitions to ensure a maximum grade change of 12.5% (1 in 8) for summit changes, and 15% (1 in 6.7) for sag changes, in accordance with AS 2890.1:2004 to prevent vehicles bottoming or scraping
- (b) the centreline of the driveway has an angle of no less than 70 degrees and no more than 110 degrees from the street boundary to which it takes its access as shown in the following diagram:



- (c) if located to provide access from an alley, lane or right of way - the alley, land or right of way is at least 6.2m wide along the boundary of the allotment / site

Infrastructure and Renewable Energy Facilities

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<i>Wastewater Services</i>	
<p>PO 12.2</p> <p>Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.</p>	<p>DTS/DPF 12.2</p> <p>Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.</p>

DEVELOPMENT APPLICATION FORM



Development Application No.
/ /

Applicant

Name: Geoff Glen	Company: Port Augusta Steel Centre Pty Ltd	
Address: 81 Stirling Road	Suburb: Port Augusta	Post Code: 5700
Postal Address: 81 Stirling Road	Suburb: Port Augusta	Post Code: 5700
Email: portaugustasteel@gmail.com	Mobile:	Phone: 8642 2606

Owner

Name: David Scicluna	Suburb: Stirling North	Post Code: 5710
Address: 21 Edith Street	Suburb:	Post Code:
Postal Address:	Mobile: 8648 4842	Phone:
Email: ango1@westnet.com.au		

Builder

Name: Owner	Company:	Post Code:
Address:	Suburb:	Phone:
Postal Address:	Mobile:	
Email:	Licence No.	

Contact Person

Applicant Owner Builder Other (If other) Name: _____ Mobile: _____

Proposed Development

Description: Shed

Location

House No: 21	Street: Edith Street	Suburb: Stirling North
Sec No:	Lot No:	Hundred:
		Vol: 5981
		Folio: 504

If the estimated cost of development exceeds \$12,000 an Indemnity Insurance policy is required. If the estimated cost of development exceeds \$40,000, a construction Industry Training Board Levy is also required. Please see next page for details.

I acknowledge that 3 copies of all plans, drawings and specification or any other information relating to the proposed development must accompany this application. I acknowledge that such plans, drawings and information may be provided to interested persons in accordance with the Development Regulations 2008.

Estimated Development Cost \$ 46,379.00
(Do not include any fit-out costs)

Signature (Applicant/Owner) _____ **8/11/23**
Date

OFFICE USE ONLY		PROPOSAL CODES:			ASSESSMENT NO:	
Fee Type	Amount	Amount (N/C)	Receipt	Date	Signature	Consent Type
Lodgement Fee (T30) LODGE-NC GST Exempt		LODGE-NC				Building Rules Classification <input type="checkbox"/> Consent Required <input type="checkbox"/> Complying Sought: Area: Rate: Total: <input type="checkbox"/> Non-Complying <input type="checkbox"/> Notification Cat 2 <input type="checkbox"/> Notification Cat 2A <input type="checkbox"/> Notification Cat 3
Planning Fee (T31) NON-COMPL GST Exempt		NON-COMPL				
Stage Fee (T48) STAGEFEE GST Exempt						Building Rules Classification Sought: Area: Rate: Total: <input type="checkbox"/> Referrals/Concur <input type="checkbox"/> DA Commission
Residential Code Assessment Fee Exempt from Planning B/O (T49) RESCODEFEE GST Exempt						
Building Fee (T40) BUILDING GST Inclusive						Application forwarded to DA Commission or / Council on / Decision
Admin Fee (Non-Comp) (T39) ADMINFEE GST Exempt						
Certificate of Title (T53) CERTITLE 02/01580/008/790 GST Exempt						Type Date / /
Referral Fees (T35) CONSULT DRT EPA CPB HAS GST Exempt						
Public Notification Fees CAT 2 or CAT 2A (T36) PUBLIC_NOT GST Exempt CAT 3 (T36 & T47) PUB_NOT_3 GST Inclusive						AR10/5441[v2]
Swimming Pool Inspection Fees (T160) INSPECTFEE GST Exempt						
Total Fees						

PLANS AND INFORMATION – THAT MUST BE SUBMITTED

OUTBUILDINGS - *garages, sheds, verandahs, carports, pergolas, swimming pools, spas & shade sails etc*

Plans and information required for outbuildings – (Extract from the Development Regulations 2008, Schedule 5 – Requirements as to plans and specification)

- Site Plan** drawn to a scale of not less than **1:500**, showing
 - The boundaries and dimension of the site and any relevant easements, if in an area with an onsite wastewater control system the location and dimension of the system i.e. (septic tank, soakage trenches, aerobic system)
 - The positions and dimensions of any proposed building and its relationship to the boundaries of the site and any other features such as other buildings or trees on the site or on adjoining land or public place that might be affected by the work or affect the work proposed to be performed
 - The purpose for which any existing building on the site is used and for which any proposed building on the site is intended to be used
 - The levels of the site and of the floors of the proposed building in relation to any street drainage channel or council drain.
 - The method of drainage and services proposed to be used
 - The location and gradient of any driveway or proposed driveway and its location in relation to any existing or proposed vehicle access point under section 221 of the Local Government Act 1999
 - The amount and location of private open space to remain on the site
 - The approximate north point
- Floor Plan** drawn to a scale of not less than **1:100**, showing
 - The position of any posts and their spacing, the position of any rafter and their spacing, the span and the dimensions of the structure.
- Elevation Plan** drawn to a scale of not less than **1:100**, showing
 - The height of the structure from ground level to the eaves and the height of the structure from ground level to the ridgeline
- Footing Plan** drawn to a scale of not less than **1:100**, showing
 - The size and location of the footings, the dimensions and other structural components
- Specifications** describing materials and standards of work, and such other information as may be necessary to show that the building work will, if performed in accordance with the specifications and drawings, comply with the Development Act 1993 and provide satisfactory levels of safety on or about the site
- Calculations or reports** to show that the building work will, if performed in accordance with the calculations and reports, comply with the Act
- If a new vehicle access point is to be established** - documentary evidence that it has been authorised under section 221 of the Local Government Act 1999
- Colour of Materials and Cladding** - Details of the types of materials and colours to be used
- Certificate of Title** – a copy of the certificate of title, deposit plan or other instrument evidence title in relation to the land
- Statement relating to electricity infrastructure** – An application relating to development that would involve the construction of a building may be accompanied by a declaration by or on behalf of the applicant to the effect that the erection of the building would not be contrary to the regulations prescribed for the purpose of section 86 of the Electricity Act 1996



Port Augusta

CITY COUNCIL
DEVELOPMENT SERVICES

BUILDING SAFETY NEAR POWERLINES FORM

***DEVELOPMENT REGULATIONS 1993
Form of Declaration
(Schedule 5 Clause 2A)***

To: PORT AUGUSTA CITY COUNCIL

FROM: Name Port Augusta Steel Centre

Phone No: 08 8642 2606

Address 81 Stirling Road

Town /Suburb Port Augusta

Post Code 5700

DATE OF APPLICATION: 8 / 11 /2023

LOCATION OF PROPOSED DEVELOPMENT

House No 21 Lot No: Street Edith Street Town/Suburb Stirling North

Section No. (full/part) _____ Hundred _____ Volume 5981 Folio 504

NATURE OF PROPOSAL

Shed

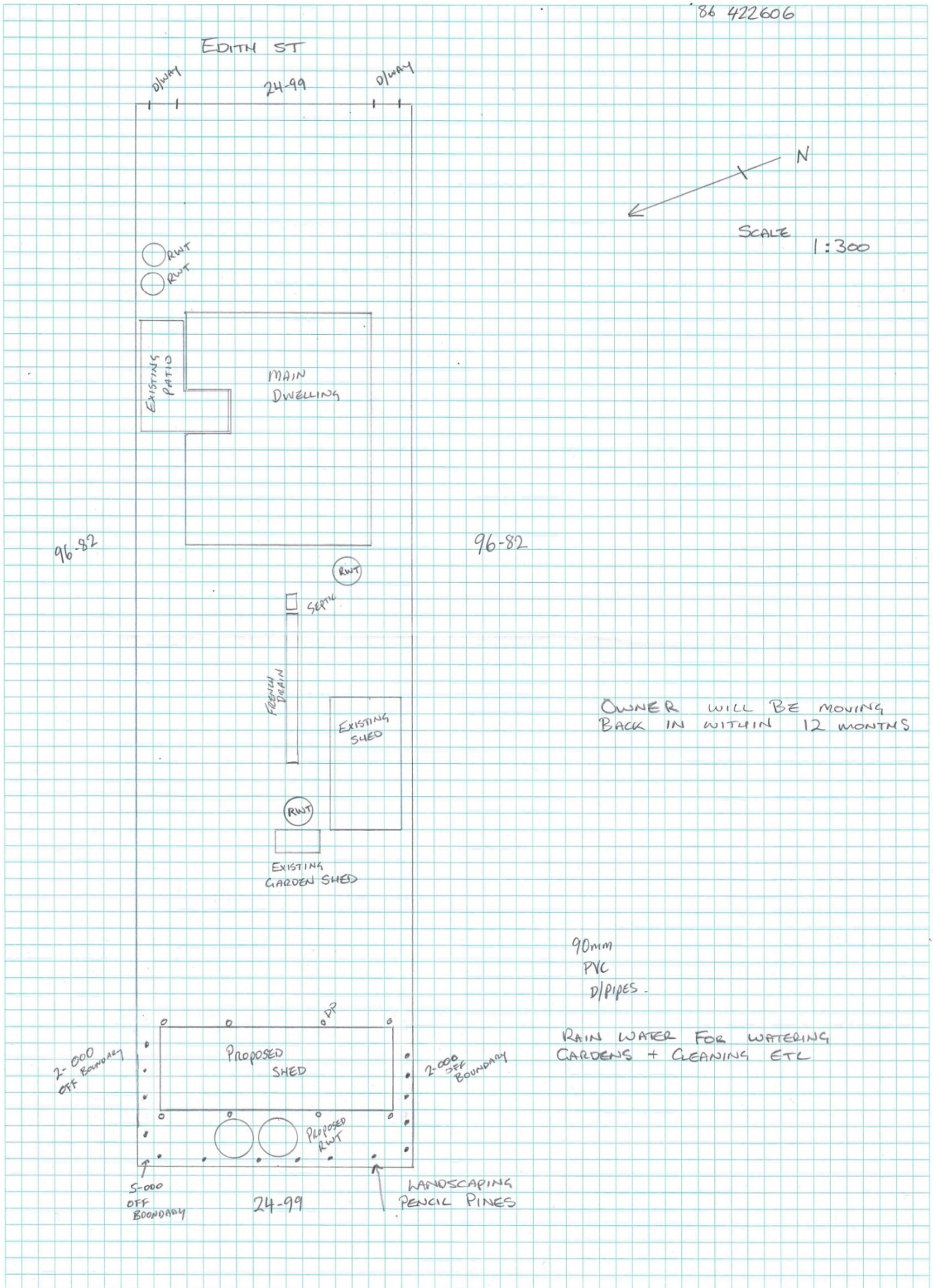
I Clayton Hardy a person acting on behalf of the applicant for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the *Electricity Act 1996*. I make this declaration under Clause 2A(1) of Schedule 5 of the *Development Regulations 2008*.

DATE: 8 / 11 /2023

SIGNED: _____

FORB0117

DAVID SCICLUNA
21 EDITH ST ST N+4
86 422606



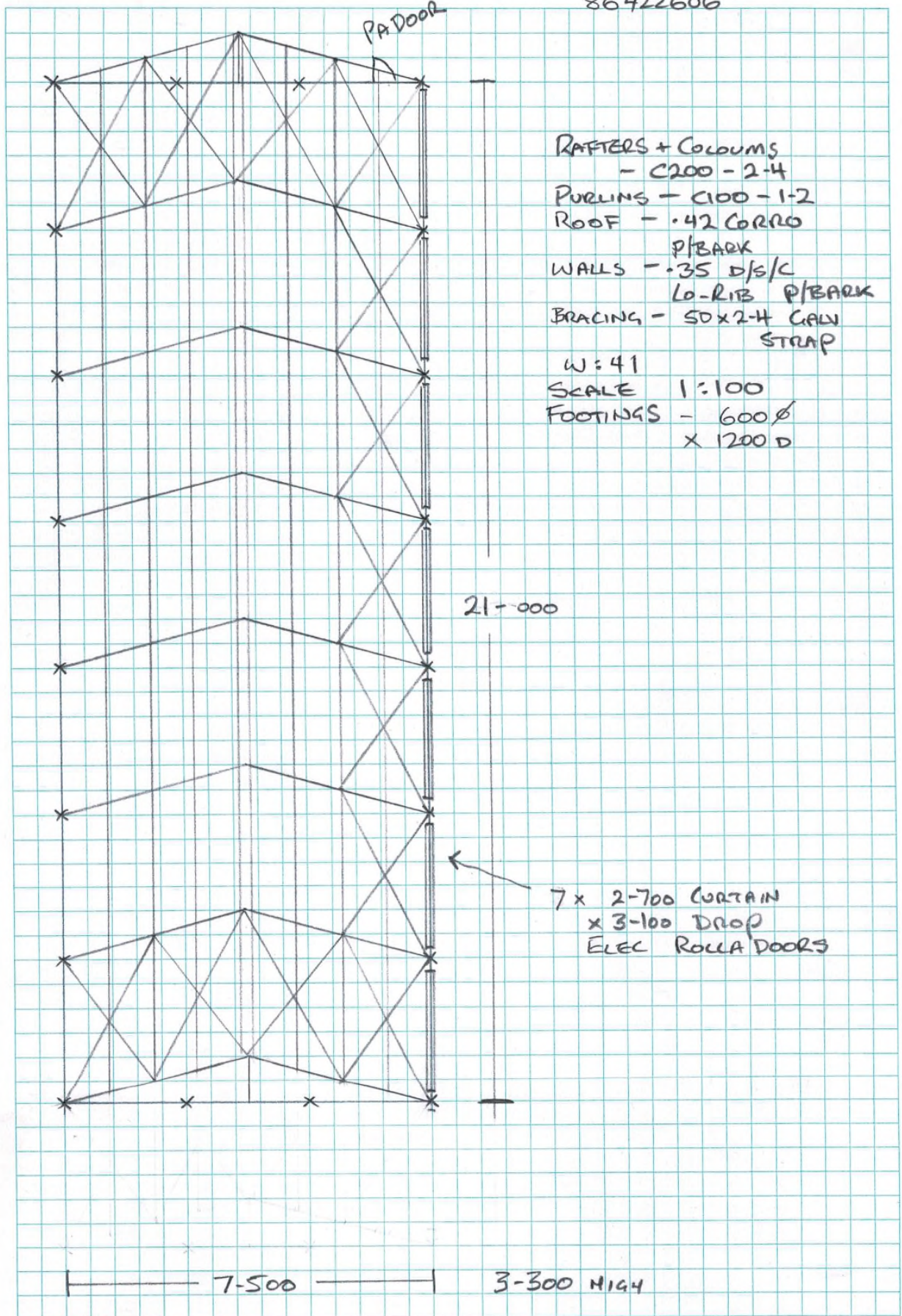
OWNER WILL BE MOVING
BACK IN WITHIN 12 MONTHS

90mm
PVC
D/PIPES.

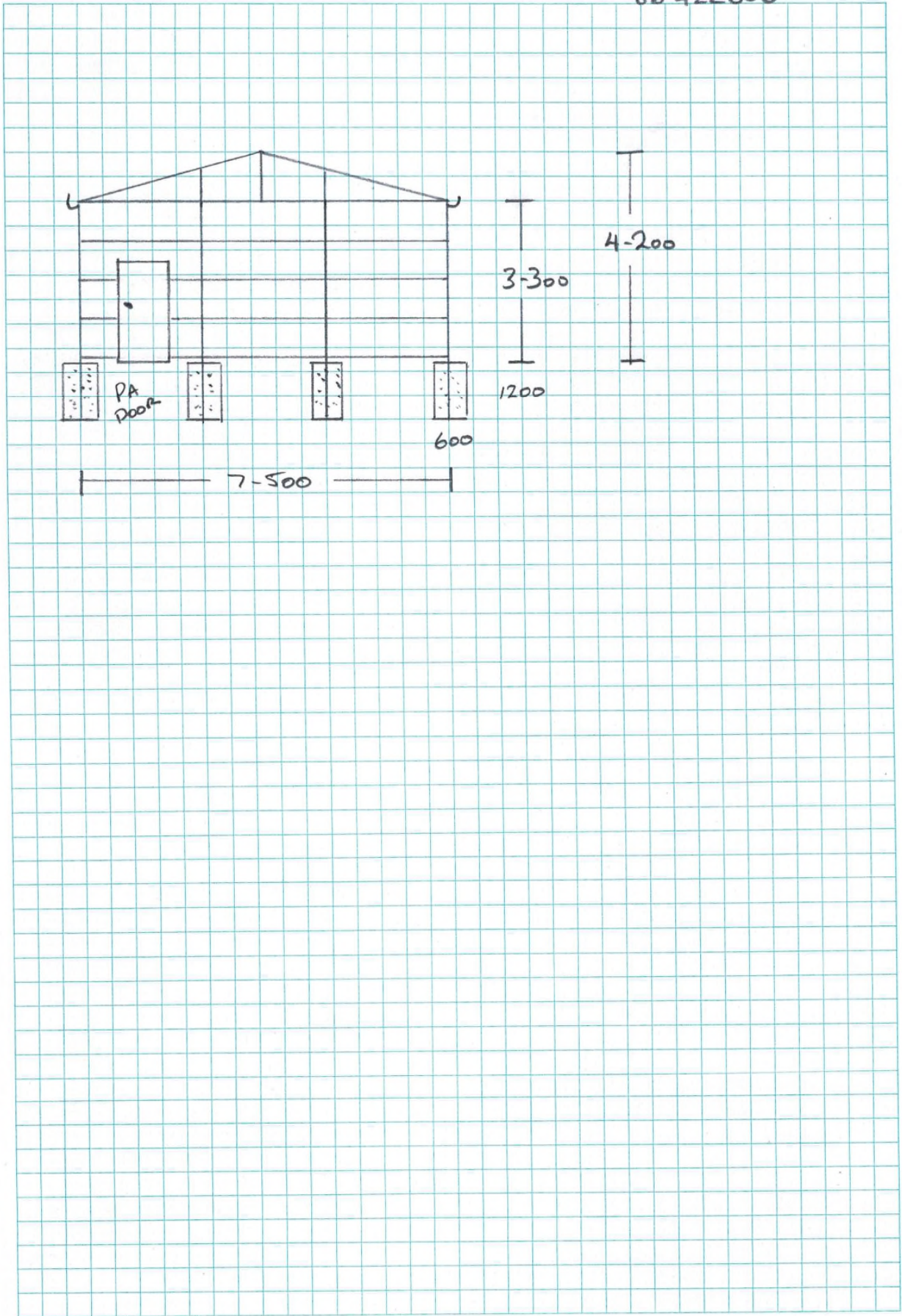
RAIN WATER FOR WATERING
GARDENS + CLEANING ETC

7-500 x 24-000 x 3-300 H
COLOUR SHED

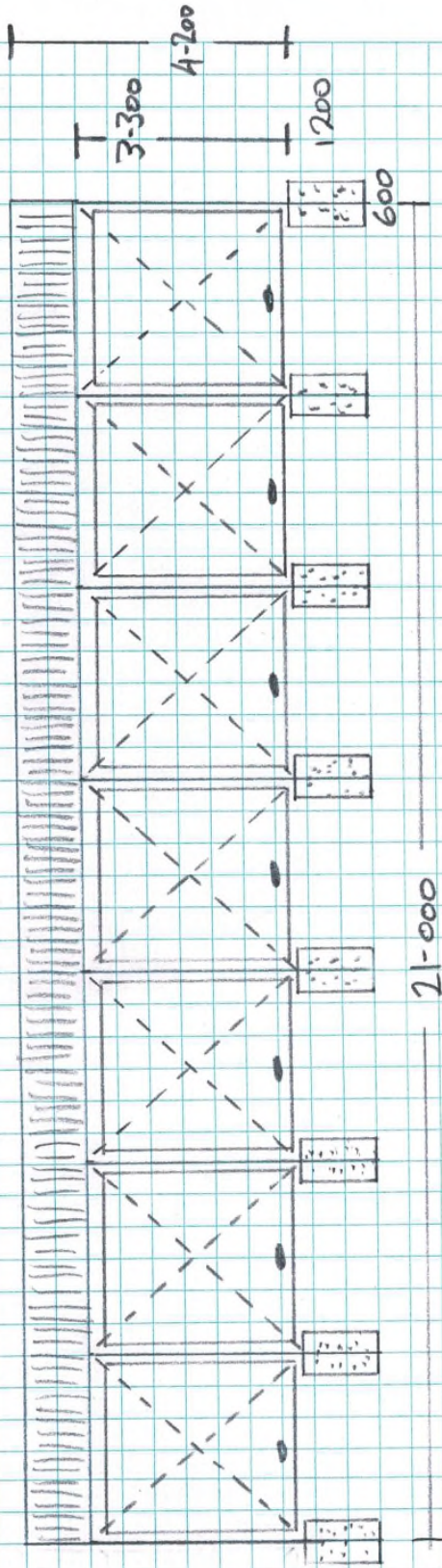
DAVID SCICLUNA
21 EDITH ST ST N/4
86422606



DAVE SCIALLUNA
21 EDITH ST ST NW
86 422 606



DAVE SCICLONA
21 EDITH ST



50x24 BRACING
ALONG BACK WALL

8 x 2-700 CURTAIN
X 3-100 DROP
P/BARK ROLL-UP DOORS

C100-1-2 PURLINS @ 825mm ϕ
(5 ON WALLS)

Archived: Friday, 26 April 2024 11:02:28 AM
From: Ango1@westnet.com.au
Mail received time: Fri, 26 Apr 2024 10:08:08
Sent: Fri, 26 Apr 2024 00:37:48
To: [Henri Mueller](#)
Subject: RE: 21 Edith Street
Importance: Normal
Sensitivity: None

Our property on 21 Edith street Stirling north the reason we would like to build a shed on the double block property is I have a collection of restored classic holden cars. They have already all been restored no mechanical or body work will be done on the property, as all work has already been done. My wife and I are going to move to the property as soon as our business in Blinman which is already on the market is sold. We will be planting trees and using the rain water off of the shed in the house, all we are after is a place to store undercover my collection and a home to retire and spend time with the grand children who are all in the close area of Stirling.

Kind regards
David and Caroline Scicluna.
0886484842

From: Henri Mueller <Henri.Mueller@portaugusta.sa.gov.au>
Sent: Friday, April 26, 2024 9:52 AM
To: ango1@westnet.com.au
Cc: portaugustasteel@gmail.com
Subject: 21 Edith Street

Hi Mr Scicluna,

As discussed by phone, please provide written confirmation of what you advised us verbally over the phone stating that you intent to live on the property as soon as your sell the hotel.

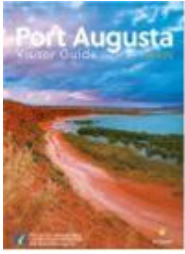
I have also asked Clayton to show the driveway from the shed to Edith Street along the south being the left side of the property as viewed from Edith Street as we discussed.

I have the Planning Manager for the USGRAP Jodie Perone waiting for me to send it all through so that it can go on the website for viewing.

Kind Regards
Henri Mueller
Manager Growth & Regulatory



E: Henri.Mueller@portaugusta.sa.gov.au | **P:** 86419167
A: Civic Centre, 4 Mackay Street (PO Box 1704), PORT AUGUSTA, SA 5700
W: www.portaugusta.sa.gov.au
 [facebook](#)
[Subscribe to our monthly Community E-Newsletter](#)



FLINDERS RANGES & OUTBACK



FLINDERSANDOUTBACK.COM.AU



KNOW
YOUR
COUNTRY

KNOWYOURCOUNTRY.COM.AU

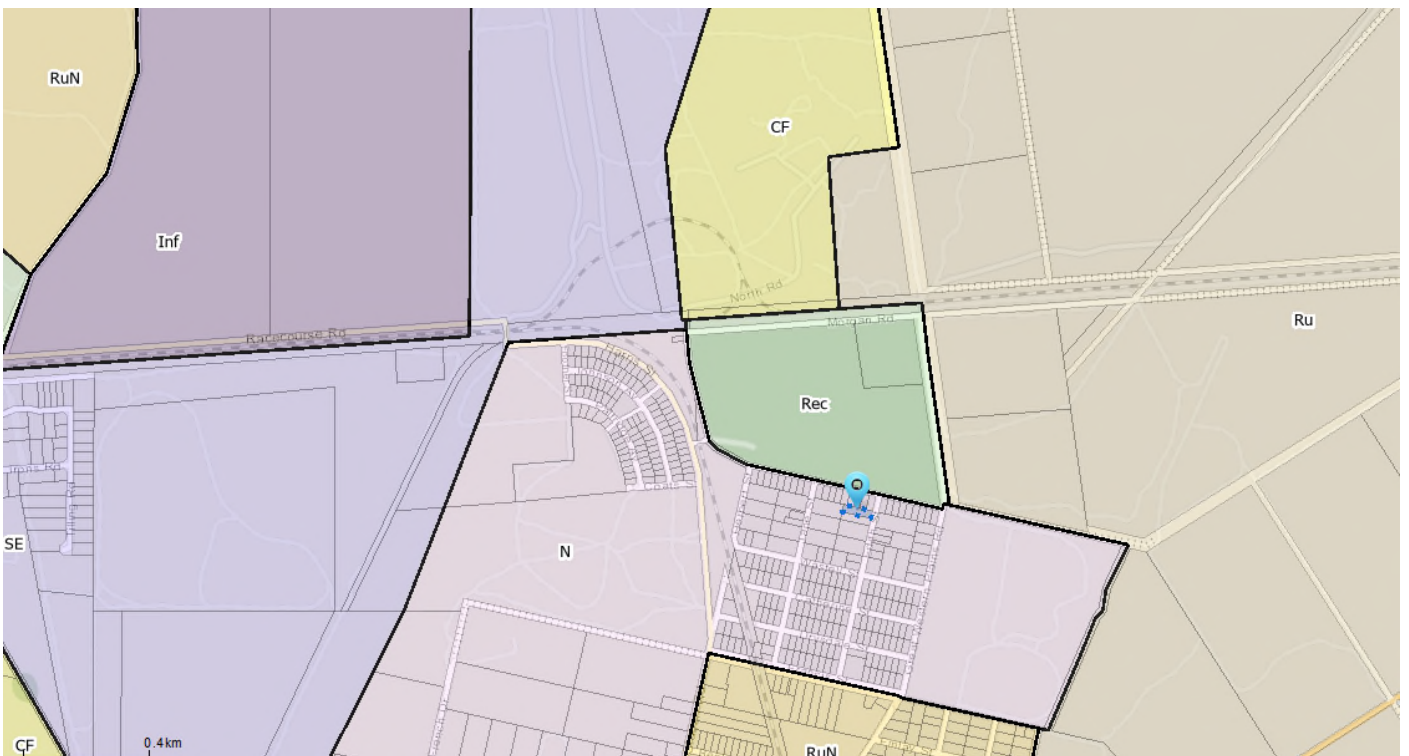
THIS EMAIL COMES TO YOU FROM
BARNGARLA
COUNTRY



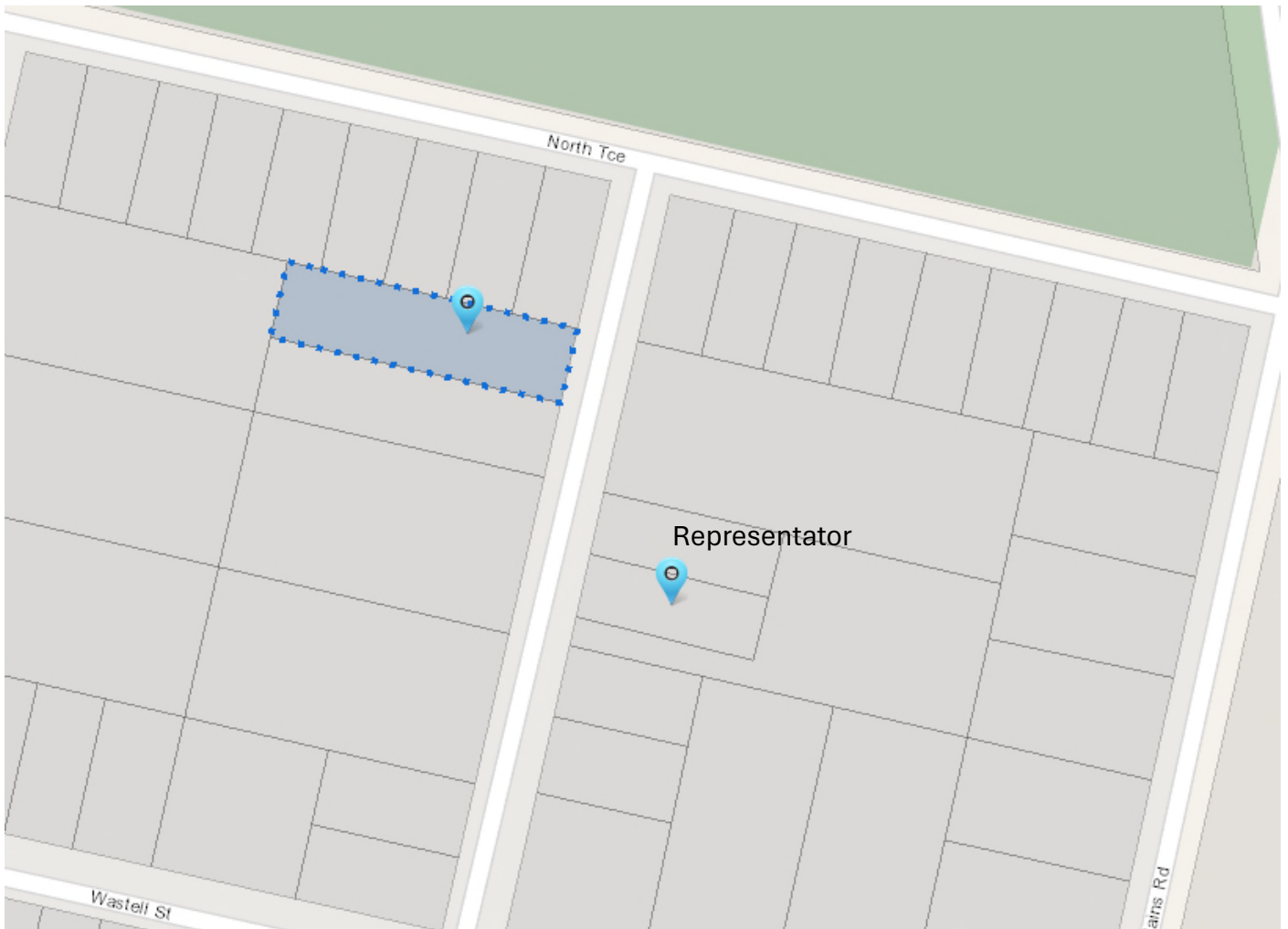
ATTACHMENT 2: Subject Land Map



ATTACHMENT 3: Zoning Map



ATTACHMENT 4: Representation Map



Given Name	Surname	Address	Phone	Email	Wish to be heard	Date Received
Karen	Davison	24A Edith Street SA 5710	0428842614	Kscreen@mail.com	FALSE	14/02/2024 19:57 GMT+10:30

ATTACHMENT 5: Representations

Details of Representations

Application Summary

Application ID	23033239
Proposal	Storage Shed
Location	21 EDITH ST STIRLING NORTH SA 5710

Representations

Representor 1 - Karen Davison

Name	Karen Davison
Address	5 huxtable street PORT AUGUSTA SA, 5700 Australia
Submission Date	14/02/2024 07:57 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

At this stage we do not support the new development as not enough information provided about what this shed is going to be used for. Is this shed for business purposes or personal use? Will any dangerous equipment or machinery be stored in the shed? Do not believe this should be supported if it is for business use as the area is residential and small children play in the area. Any dangerous machinery or hazardous materials will cause accidents to occur. Will construction of the shed only occur during weekday business hours? We are concerned about increased truck traffic on this road and business use of the road and storage of any noisy/ dangerous business equipment used in the shed. If for business use will use of the shed be limited to weekday business hours and limits placed on use to between 7-5 weekdays due to concerns for local children/residents as areas is close to school bus stops etc.

ATTACHMENT 6: Response to Representations

PORT AUGUSTA STEEL CENTRE PTY LTD

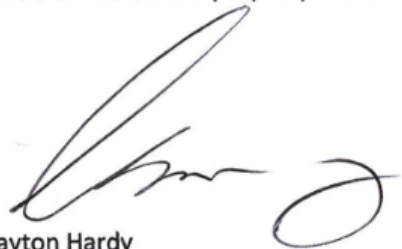
Application ID: 23033239
21 Edith Street, Stirling North

RE: Response to Representation

In response to your concerns regarding proposed shed at 21 Edith Street Stirling North please be advised this will NOT be a shed used for business purposes.

The proposed shed will be used for personal storage for Classic Vehicles. And will not have any dangerous equipment of machinery.

Construction of proposed shed will be limited to business hours Monday – Friday 9:00 – 17:00, and will be on residential property therefore we do not anticipate a danger to children in the area.



Clayton Hardy

Manager

Port Augusta Steel Centre Pty Ltd

ATTACHMENT 7: Prescribed Body response

Not Applicable

ATTACHMENT 8: Internal Referral Advice

Not Applicable

ATTACHMENT 9: Applicants Response

Not Applicable